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OFFICE OF PETITIONS

In re Application of :
Steven P. Gygi et al :
Application No. 10/781,047 :
Filed: February 17, 2004 :
Attorney Docket No. 57559(70207) :

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED.**

Inquiries related to this communication should be directed to the undersigned at (571) 272-3208.

Karen Creasy
Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Petition Maintenance [X]

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Application
Application No: Patent No:

Title of Invention:

Filing Date: Issue Date:

Inventor Name:

Mailroom Date	Match	Initial Type	Decided Type	Decision	Decision Date
11/08/2004	N	321			

Petition Detail

Mailroom Date * Decision:

Cert. of Mail Date: Decision Date: Next Business Day

Initial Petition Type * MAKE ENTITY STATUS LARGE
Decided Petition Type:

Initial Deciding * Office: Final Deciding Office:

Matched to Application Petitions Examiner:

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